

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TAMMY FOX, *et al.*,

Plaintiff,

v.

LACKAWANNA COUNTY, *et al.*,

Defendants.

NO. 3:16-CV-1511

(JUDGE CAPUTO)

ORDER

NOW, this 2nd day of November, 2017, **IT IS HEREBY ORDERED** that:

- (1) Lackawanna County Defendants' Motion to Strike (Doc. 58) is **DENIED**.
- (2) Patrick O'Malley's Motion in his individual capacity to Strike Plaintiffs' Second Amended Complaint (Doc. 63) is **DENIED**.
- (3) Defendants' Motions to Dismiss (Docs. 50; 57; 59; 62; 65) are **GRANTED in part and DENIED in part** as follows:
 - (A) All claims by Plaintiff Allison Demy are **DISMISSED with prejudice**.
 - (B) All claims by Plaintiff Joanne Perri are **DISMISSED with prejudice**.
 - (C) All claims in Counts VIII and IX of the Second Amended Complaint against Lackawanna County, Commissioner O'Malley, in his official capacity only, and Commissioner Wansacz, Commissioner O'Brien, Commissioner Washo, Commissioner Munchak, Commissioner Cordaro, and Program Director Jeffers are **DISMISSED with prejudice**.
 - (D) All claims for punitive damages against Lackawanna County and against Commissioner O'Malley, Commissioner Wansacz, Commissioner O'Brien, Commissioner Washo, Commissioner Munchak, Commissioner Cordaro, and Program Director Jeffers in their official capacities are **DISMISSED with prejudice**.
 - (E) The Motions to Dismiss are **DENIED** in all other respects.

- (4) Defendants shall file answers to Plaintiffs' Second Amended Complaint within **twenty-one (21) days** from the date of entry of this Order.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge